

conduct and substances which did not lead to a crime will now become a crime, they should at least require that the person dealing with these substances know what the substances are and intend to deal with them in the fashion laid out in this bill. All that is required the way the bill is drafted now is that a person knowingly transfer one of these items to another person. By saying "knowingly" that is all that is required. The person need not have in mind the purpose or intent of using it as a look-alike to deceive somebody into thinking that it is the real thing, and to make sure that you can get a person who does not intend to handle it in this fashion, who does not even know that it is to be so considered, they say in the bill that if it looks like one of these substances and would cause a reasonable person to believe that it is one of these prohibited substances, then the crime is complete. So what I am trying to do with my amendments is to require that the person that you're going to ensnare in this net know what the substance is and intend to use it in the fashion that the bill is trying to prevent it from being used. And, secondly, the person who is reasonable, the mythical reasonable person, who, if looking at one of these substances would believe that it is the real thing should add to that notion, one knowledgeable of drugs.. That is what the amendment is, and if there are parts of it you like and other parts you don't, then I would not object to a division of the question.

PRESIDENT: Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker and colleagues, I would, on behalf of myself and the other three co-sponsors of this bill, vigorously oppose this amendment. We debated this bill briefly on the floor last week, I think for 15 or 20 minutes at which time we adopted the committee amendments and I explained to this body with I think about 26 of you present, the origin of this bill, the need for this bill, its progress through the Legislature over the last four years. In short, we have now boiled this criminal prohibition against selling look-alike drugs down to about six essential lines of new material in the Nebraska statutes that all appear on page 4 of the bill. Four years ago when Senator Wiitala and I first introduced a bill which was taken from a uniform act prepared by the Justice Department the new language was eight or ten or twelve pages. Now through interim studies and other procedures we boil it down